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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.369 of 2005

Between:

1 Smt. Tulasi, w/o Sathyanarayana,
R/o P.No. D5-04, Indrasenareddy Colony, Karmanghat Village,

Saroornagar Mandal, Ranga Reddy District.
2 Smt. K. Sharada, W/o Venkateshwarlu,
R/o P.No. D5-05, Indrasenareddy Colony, Karmanghat Village,

Saroornagar Mandal, Ranga Reddy District.
3 Smt. L. Devi, w/o L. Hanumanthu,
R/o P.No. D2-05, Indrasenareddy Colony, Karmanghat Village,

Saroornagar Mandal, Ranga Reddy District.
4 Ramawath Komati, w/o Laloo Naik,
R/o P.No. B2-01, Indrasenareddy Colony, Karmanghat Village,

Saroornagar Mandal, Ranga Reddy District.
5 Smt. Indira, w/o Veeresh,
R/o P.No. D5-01, Indrasenareddy Colony, Karmanghat Village,

Saroornagar Mandal, Ranga Reddy District.

..... PETITIONERS

AND

1 The Commissioner, L.B. Nagar Municipality, Ranga Reddy District at

L.B.Nagar, Hyderabad.
2 The Town Planning Officer,L.B. Nagar Municipality, Ranga Reddy

District at L.B.Nagar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in contemplating to demolish the houses constructed on Plot No. D5-04, Plot No. D5-05, Plot No. D2-05 , Plot No. B2-01 and Plot No. D5-01 at Indrasenareddy Colony, Karmanghat village, Saroornagar mandal, R.R. District belonging to the petitioner as illegal, unlawful, arbitrary, unconstitutional and contrary to the provisions of A.P. Municipalities Act, consequently direct the respondents not to demolish the above houses without following due process of law.

Counsel for the Petitioners: MR.M.DAMODAR REDDY

Counsel for the Respondents: MR.P.RADHAKRISHNA

The Court, at the admission stage, made the following:

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ORDER:

The case of the petitioners, in this writ petition, is that they have been residing in the house flats bearing Nos.D5-4, D5-5, D2-5, B2-1 and D5-1 respectively in Survey No.63 of Indrasenareddy Colony, Karmanghat village, Saroornagar Mandal, R.R. District, which were allotted to them by the A.P. State Housing Corporation, Rangareddy District, Hyderabad under 'Valmiki Ambedkar Awas Yojana Scheme'. Their grievance is that the respondent-Municipality, without assigning any reason and without issuing any notice, is trying to demolish their houses. Hence, they filed the present writ petition.

Heard the learned counsel for petitioners and learned Standing Counsel for

respondent-Municipality.

Learned Standing Counsel for respondent-Municipality, on instructions, submitted that the petitioners are now making further constructions in their respective flats without obtaining any permission from the respondent-Municipality and therefore the constructions being made by the petitioners are unauthorized and illegal.

If that be the case, the petitioners may file appropriate applications before the respondent-Municipality seeking permission for making further constructions in their respective houses and after obtaining necessary permission only the petitioners can make further constructions.

With the above observation, the writ petition is disposed of at the admission stage. No costs.

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N.V. RAMANA, J

Date: 20.01.2005

To

1 The Commissioner, L.B. Nagar Municipality, Ranga Reddy District at

L.B.Nagar, Hyderabad.

2 The Town Planning Officer,L.B. Nagar Municipality, Ranga Reddy

District at L.B.Nagar, Hyderabad.

3 Two CD copies.